



**General Services Administration
National Capital Region**

August 4, 2020

Ms. Patricia Plummer and Dr. Emmanuel Irono
CAC-Motir Joint Venture, LLC
1508 East Capitol St., NE
Washington, DC 20003

Subject: 1800F Collocation, Auditorium, and Childcare Center Project (Contract No. 47PM1119C0006 (the "Contract")) – Insufficient Superintendence

Dear Ms. Plummer and Dr. Irono:

GSA received CAC-Motir Joint Venture, LLC's (JV) response on July 31, 2020 to GSA's Notice of Concern, issued July 30, 2020, identifying Mr. Sandy Archer as the Construction Manager/Superintendent on the project. This selection is not in compliance with FAR 52.236-6 and Section III.C of the Contract Agreement. Mr. Archer has performed as Superintendent on the project since the contract award. However, Mr. Archer, acting alone, is not fully capable to perform the myriad of superintendence functions required by the contract and is therefore deemed unacceptable by the Contracting Officer. The JV is hereby directed to provide contract-compliant on-site superintendence for the project.

Per GSAR 552-236-6(a);(b) "[t]he Contractor shall employ sufficient management and contract administration resources, including personnel responsible for project management, field superintendence, change order administration, estimating, coordination, inspection, and quality control, to ensure the proper execution and timely completion of the contract. The Contractor shall designate a principal of the firm or other senior management official to provide executive oversight and problem resolution resources to the project for the life of the contract [and t]he Contractor shall employ, and require its subcontractors to employ, qualified personnel to perform the contract. The Government reserves the right to exclude, or remove from the site or building, any personnel for reasons of incompetence, carelessness, or insubordination, who violate rules and regulations concerning conduct on federal property, or whose continued employment on the site is otherwise deemed by the Government to be contrary to the public interest." By naming Mr. Archer, alone, as superintendent for this project, the JV has failed to identify appropriate Construction Management/ Superintendence support to coordinate and oversee the various day to day administrative and field activities required to complete this project. GSA directs the JV to designate another firm and/or person(s) to supplement Mr. Archer by August 5, 2020. The selected firm and/or person(s) shall be compliant with FAR 52.236-6, Section III.C of the Contract Agreement.

Mr. Archer's involvement on the project has always been supplemented and augmented by a larger Construction Management team. Over the course of the contract, these Construction Management Support services were provided by the RLDB Group, followed by Plenary Enterprises, and finally Warner Construction Consultants. While GSA will not direct the manner in which JV complies with FAR 52.236-6 and Section III.C of the Contract Agreement, GSA does insist upon compliance.

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1800 F Street, NW
Washington, DC 20006
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Lastly, GSA's project team participated in a call with JV representatives (Ms. Jennifer Jones and Mr. Sandy Archer) on August 3, 2020 to prepare for Tuesday's regularly scheduled construction status meeting. Despite JV's correspondence that Mr. Archer will serve as the Superintendent managing day to day operations, a different representation was made during the August 3, 2020 call; it was conveyed that Ms. Jones would be acting as the project manager with assistance from Mr. Archer.

GSA directs JV to designate another firm and/or person(s) to supplement Mr. Archer by August 5, 2020 that are compliant with FAR 52.236-6, Section III.C of the Contract Agreement, and possess the experience, skills and abilities that meet or exceed the capabilities required by the contract. Your failure to comply with this request may be considered default in accordance with FAR 52.249-10 and GSAR 552.236-6(d).

Sincerely,

Chrischanda S. Smith,
Contracting Officer
General Services Administration

cc: Aaron Hassinger, GSA; Chris Hudson-Boyd, GSA; Ashley Abdullah, AFG; Kai Goodrich, AFG; Jennifer Jones, JV; Noah Meissner, surety; Harry McKee III, surety; Shuraie Mackin, SBA; and Pamela Mannion, SBA